

Permitting & Assistance Branch Staff Report

New Solid Waste Facilities Permit for the

Recycling Industries Transfer Station

SWIS No. 51-AA-0008

March 23, 2015

Background Information, Analysis, and Findings:

This report was developed in response to Yuba County Environmental Health's, the Local Enforcement Agency (LEA), request for the Department of Resources Recycling and Recovery (Department) concurrence on the issuance of a proposed new Solid Waste Facilities Permit (SWFP) for Recycling Industries Transfer Station, SWIS No. 55-AA-0008, located in Sutter County and owned by Kuhnen Family Limited Partnership (KFLP) and operated by Recycling Industries Transfer Station. A copy of the proposed permit is attached. This report contains Permitting & Assistance Branch staff's analysis, findings, and recommendations.

The proposed permit was initially received on March 2, 2015. A new proposed permit was received on March 13, 2015. Action must be taken on this permit no later than May 1, 2015. If no action is taken by May 12, 2015, the Department will be deemed to have concurred with the issuance of the proposed new SWFP.

The following are the key design parameters of the proposed project:

	Proposed Permit
Operator	Recycling Industries Transfer Station
Owner	Kuhnen Family Limited Partnership (KFLP)
Facility Type	Transfer/Processing Facility
Proposed Hours/Days of Operation	Receipt of Refuse/Waste: 7:00 am-5:00 pm, Monday - Saturday Ancillary Operations/Facility Operating Hours: 6:00 am – 8:00 pm, Monday - Saturday
Proposed Maximum Tonnage	100 Tons per Day
Proposed Traffic Volume	238 Vehicles per Day
Proposed Area	3 acres
Design Capacity	500 tons
Waste Types	Mixed Recyclables and MSW

Background

Recycling Industries Transfer Station (RITS), currently operating as a recycling facility, is proposing to expand existing operations to become a transfer/processing facility. The expansion will provide for expanded recycling and self-haul solid waste transfer services to Yuba City and Sutter County by providing a waste transfer and recycling facility closer to their residences and businesses. Currently, the Yuba Sutter region has only one transfer station open to the public.

Only non-hazardous municipal solid waste and recyclables will be accepted at the RITS. This includes municipal solid waste generated by the residential and commercial self-haul customers and includes self-hauled solid waste. In addition, source-separated recyclable materials from curbside collection programs, commercial recycling programs, separate yard waste collection, or other programs will be accepted at the facility.

It is anticipated that a majority of the incoming materials will consist of solid waste and recyclables that will be separated, bundled, or transferred for end use or via transfer trucks to a landfill, for disposal. RITS expects that it will recover approximately 50 to 80 percent of all recyclable and solid waste materials delivered to the facility. A majority of these recyclable materials will be from source separated and or “commingled” single-stream commercial and residential collection programs. Recyclable materials are recovered via manual and mechanical processing.

No designated, special, medical, liquid or hazardous wastes will be accepted. A Hazardous Waste Load Check Program has been implemented to enforce this policy. Material is received and shipped to end use markets on a regular basis. Daily inventory is approximately five days of processed material.

The site is surrounded by Industrial Buildings (Yuba City Steel & HILO Erectors) to the west, Industrial building (Unity Forest Product) to the east, vacant land directly south and north (D&H Transport). Within 1,000 feet, there are several industrial facilities to the west. The Yuba City Wastewater Treatment facility is 1,000 feet to the south and a softball complex is 1,500 feet to the southwest. The nearest residence is over 1,900 feet to the west of the site boundary. The Feather River and the levee are located over 1,500 feet to the east of the facility.

Findings:

Staff recommends concurrence in the issuance of the proposed new SWFP. All of the required submittals and findings required by Title 27 of the California Code of Regulations (27 CCR), Section 21685, have been provided and made. Staff has determined that the California Environmental Quality Act (CEQA) requirements have been met to support concurrence. The findings that are required to be made by the Department when reaching a determination are summarized in the following table. The documents on which staff's findings are based have been provided to the Branch Chief with this Staff Report and are permanently maintained by the Waste Permitting, Compliance, and Mitigation Division.

27 CCR Sections	Findings	
21685(b)(1) LEA Certified Complete and Correct Report of Facility Information	The LEA provided the required certification in their permit submittal letter dated February 23, 2015.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(3) Solid Waste Facility Permit	Staff received a proposed Solid Waste Facilities Permit on March 13, 2015.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685 (b)(4)(A) Consistency with Public Resources Code 50001	The LEA in their permit submittal package received on March 3, 2015, provided a finding that the facility is consistent with PRC 50001. Waste Evaluation & Enforcement Branch (WEEB) staff in the Jurisdiction Compliance Unit found the facility is identified in the <i>Nondisposal Facility Element</i> , as described in the memorandum dated March 9, 2015.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(9) LEA CEQA Finding	The LEA provided a finding in their permit submittal package received on March 2, 2015, that the proposed permit is consistent with and supported by the existing CEQA documentation. See the Environmental Analysis below for details.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21650(g)(5) Public Notice and/or Meeting, Comments	A Public Informational Meeting was held by the LEA on January 21, 2015. No written comments were received by LEA or Department staff. Oral comments were addressed by LEA staff and the operator. See Public Comments section below for details.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
CEQA Determination to Support Responsible Agency's Findings	The Department is a responsible agency under CEQA with respect to this project. Permitting and Assistance Branch staff has determined that the CEQA record can be used to support the Branch Chief's action on the proposed new SWFP.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable

Permitting & Assistance Branch staff have determined that the design and operations described in the submitted Transfer Processing Report will allow the proposed facility to comply with State Minimum Standards.

Environmental Analysis:

A Mitigated Negative Declaration (MND), State Clearinghouse No. 2014052082, was circulated for a 30 day comment period from May 27, 2014 to June 25, 2014. The project analysis concluded that any physical environmental impacts caused by the project could be mitigated to less than significant levels with the implementation of the mitigation measures included in the Mitigation, Monitoring and Reporting Program. The

MND, together with the Mitigation Monitoring Program, was approved by the Lead Agency on 7/28/2014.

Staff recommends that the Department, acting as a Responsible Agency under CEQA, utilize the MND as prepared by the Lead Agency in that there are no grounds under CEQA for the Department to prepare a subsequent or supplemental environmental document or assume the role of Lead Agency for its consideration of the proposed new SWFP. Department staff has reviewed and considered the CEQA record and recommends the MND is adequate for the Branch Chief's approval of the proposed project for those project activities which are within the Department's expertise and/or powers, or which are required to be carried out or approved by the Department.

The administrative record for the decision to be made by the Department includes the administrative record before the LEA, the proposed new SWFP and all of its components and supporting documentation, this staff report, the MND adopted by the Lead Agency, and other documents and materials utilized by the Department in reaching its decision on concurrence in, or objection to, the new SWFP. The custodian of the Department's administrative record is Dona Sturgess, Legal Office, Department of Resources Recycling and Recovery, P.O. Box 4025, Sacramento, CA 95812-4025.

Public Comments:

The project document availability, hearings, and associated meetings were noticed consistent with the SWFP requirements. The LEA held a public informational meeting on January 21, 2015, at 140 Epley Drive, Yuba City, CA 95991, in the City of Yuba. Twelve members of the public were in attendance. The public asked several questions regarding the permit process and enforcement of the permit; odor and vector control; water discharge off-site; daily tonnage; processing, storage and transferring of materials; current franchise agreement; and whether or not there would be additional public meetings.

All the questions were answered by Recycling Industries staff and the LEA. No written comments were received by the LEA or Department staff.

Department staff provided an opportunity for public comment during the CalRecycle Monthly Public Meeting on March 17, 2015.